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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,920	03/29/2001	Yoshiaki Komatsu	108631	4360

25944 7590 06/23/2003

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EXAMINER

ZAMANI, ALI A

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 06/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/819,920

Applicant(s)

KOMATSU, YOSHIKI

Examiner

Ali A. Zamani

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3 & 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Arons et al. (US Pat. No. 6,529,920 B1).

In regard to claims 1 and 8, Arons et al. disclose an information recording and reproducing apparatus, comprising: a recording mode device (61) (col. 3, lines 54-67) that includes a recording position designating portion for designating a certain position in an input area; and a recording switch (404) that outputs a recording start signal and a recording end signal of sound data in response to a switching of the switch; a coordinate on data detecting device that detects coordinate data of a position in the input area designated by the position designating portion (col. 4, lines 10-23); a designated coordinate data storing device that stores the coordinate data detected by the coordinate data detecting device as designated coordinate data (see Fig. 3, col. 10, lines 3-15); and a sound data storing device that starts recording the sound data in association with designated coordinate data in response to an output of the recording start signal that ends recording in response to an output of the recording end signal (see col. 9, lines 4-22). Furthermore, the recorder (61) has a host computer (103) which is a central operation

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processing device for controlling the entire operation of the data input device in accordance with various program loaded in a RAM (Col. 15, lines 28-36), a storage device (301) includes a storage medium (such as a magnetic disk, a magneto optical disk, or solid-state storage module) for pre-storing the operation system, the program or data transmitted in a storage medium into the RAM in accordance with a program or data transmitted from other device, in the storage medium (301), or the use of a program or data stored in a storage medium provided in some other device, via a communication link or the like (Fig. 5, col. 15, lines 15-24), which all function as claimed.

As claim 2, Arons et al. disclose a written information inputting device that includes a input position designated portion for inputting written information by designating a certain position in the input area, wherein the coordinate data detecting device detects coordinate data of a position designated by the position designating portion of the written information inputting device (see col. 3, lines 38-53), and a written information storing device that stores the coordinate data of the written information inputting device as stroke data in association with sound data by the designated coordinate data (see Figs 4A-4D).

As to claim 3, Arons et al. disclose a playback mode selecting device that includes a playback position designating portion for designating a playback position in the input area that outputs a playback start signal; and a sound data playback device that starts a playback of the sound data stored in the sound data storing device in association with one of the plurality of sets of stroke data via the designated coordinate data for a position designated by the playback position designating portion in response to an output of the playback start signal when the designated coordinate data is determined to be included in

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a range of the input area where one of the plurality of sets of stroke data belongs (see Figs 4A-4D, col. 10, lines 16-67).

In regard to claims 4-6, Arons et al. disclose the written information inputting device uses a pen-type member as the input position and recording designated portion and a selection can be made by using a "stylus", where stylus is defined as a pen (either the writing end of a digitizing pen or the selecting end of a digitizing pen) (see col. 3, lines 38-45).

As to claim 7, Arons et al. disclose that the information recording and producing apparatus according to claim 3, the recording switch is an on-off switch (404) that is activated by the recording position designating portion making contact with the input area (see col. 16, lines 14-21).

In regard to claims 9-14, Arons et al. disclose a multimedia recorder (61), which has a host computer (103) that communicates with a variety of other devices such as storage medium (301) through a disk controller unit (303). The host computer (103) communicates with a processor (101), which is programmed in software, and operates in both an interrupt-driven and polled manner and interrupts are generated when incoming communication received from the host computer (103) or when buttons are pushed. In addition, the processor (101) polls some input devices (345) (see Fig. 5, col. 16, lines 14-45). It is well known in the art that the CPU (103) controls the storage of a program or data transmitted from other device, in the storage medium (361), or the use of a program or data stored in a storage medium provided in some other device, via a communication link or the like (see Fig. 5, col. 15, lines 38-54).

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ali Zamani whose telephone number is (703) 308-6414. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerpe, can be reached on (703) 305-4709.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ali Zamani

May 30 2003



RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600